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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,814	08/27/2001	Alexander Aschir	112740-272	6683
29177	7590	11/16/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC			KNOWLIN, THJUAN P	
P. O. BOX 1135				
CHICAGO, IL 60690-1135			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,814

Applicant(s)

ASCHIR, ALEXANDER

Examiner

Thjuan P. Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on August 22, 2005 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-14 are still pending in this application, with claims 1 and 10 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bushnell (US 6,519,335).
4. In regards to claims 1, 7, 10, and 12, Bushnell discloses a method and system for setting up a communication link (e.g. call) in a communication network from a communication terminal (e.g. caller) to a destination communication terminal (e.g. called party) (See col. 5 lines 12-20), the method comprising the steps of: allocating a weighting (for example, whether the incoming call has a high priority or low priority) to the communication link, determining if the communication link has a higher weighting than an already existing old communication link to the destination communication terminal (See col. 5 lines 21-36); interrupting the old (e.g. current/first) communication link and setting up the communication link from the communication terminal to the destination communication terminal if the communication link has a higher weighting

than the old communication link (See col. 5 lines 44-48 and col. 7-8 lines 66-7); and changing the weighting, while the communication link is being set up, via the communication network if the communication link needs to be set up with a different priority with respect to the allocated weighting, the different priority being one of a higher priority and a lower priority (See col. 7-8 lines 66-7 and col. 8 lines 35-65).

5. In regards to claim 2, Bushnell discloses a method for setting up a communication link in a communication network from a communication terminal to a destination communication terminal, further comprising the step of: using a destination address (e.g. directory number within the user's/called parties affinity database) for the communication link to detect whether the communication link needs to be setup with the different priority (See col. 6 lines 46-65).

6. In regards to claims 3, 9, and 14, Bushnell discloses a method for setting up a communication link in a communication network from a communication terminal to a destination communication terminal, further comprising the step of: increasing the weighting of the communication link if the communication link needs to be set up with a higher priority (See col. 5 lines 44-48 and col. 7-8 lines 66-7).

7. In regards to claims 4, 8, and 13, Bushnell discloses a method for setting up a communication link in a communication network from a communication terminal to a destination communication terminal, further comprising the step of: reducing the weighting of the communication link if the communication link needs to be set up with a lower priority (See col. 5 lines 48-56).

8. In regards to claims 5 and 11, Bushnell discloses a method and system for setting up a communication link in a communication network from a communication terminal to a destination communication terminal, wherein the destination address appears in a number plan (e.g. affinity database) for the communication network (See col. 6 lines 46-65).

9. In regards to claim 6, Bushnell discloses a method for setting up a communication link in a communication network from a communication terminal to a destination communication terminal, wherein the weighting of the communication link is increased if the communication link is detected to be an emergency call (See col. 9 lines 37-46).

Response to Arguments

10. Applicant's arguments filed 08/22/05 have been fully considered but they are not persuasive. Applicant argues that Bushnell does not teach or suggest the feature of "changing the weighting, while the communication link is being set up, via the communication network if the communication link needs to be set up with a different priority with respect to the allocated weighting, the different priority being one of a higher and a lower priority". Applicant states that Bushnell is silent regarding the feature of changing or modifying the "weighting" of the communication link if need be. Examiner respectfully disagrees with this argument. Bushnell does teach and suggest the feature of changing the weighting, while the communication link is being set up, via the communication network if the communication link needs to be set up with a different

priority with respect to the allocated weighting, the different priority being one of a higher and a lower priority (See col. 8 lines 35-65). For example, the caller's number (having a high priority level) may be located as a directory number within the user's affinity database, however, if the attempted call is made during a specific time, such as meal time, in the late evening, or whenever the user does not wish to be disturbed, or if the attempted call automatically receives a "flag" (designated by the user), and is deleted from the affinity database, the priority of the caller is changed from high to low.

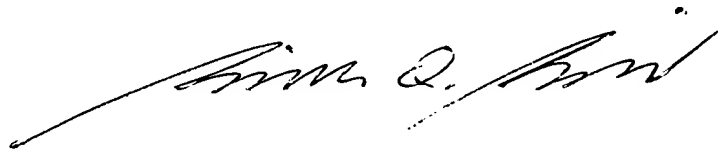
Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
12. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read 'Bing Q. Bui', with a long, sweeping horizontal line extending to the left.

BING Q. BUI
PRIMARY EXAMINER